DOCUMENT RESUME

ED 396 831 PS 024 305

TITLE	Giving Hope and Support to America's Children: Handbook on Child Support Enforcement.
INSTITUTION	Office of Child Support Enforcement (DHHS), Washington, DC.
PUB DATE	95
NOTE	55p.
PUB TYPE	Guides - Non-Classroom Use (055)
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	Child Custody; *Child Support; *Child Welfare; Court Litigation; Divorce; Early Parenthood; Fathers; *Financial Support; One Parent Family; Parent Role; Well Being
IDENTIFIERS	*Child Support Enforcement Program; *Paternity Establishment

ABSTRACT

This handbook is a "how-to" guide to help parents get the child support payments their children need and deserve. The handbook is written in a question and answer format. Chapter 1 provides information on child support enforcement problems, how parents can get help, and the basic fees and steps in getting child support. Chapter 2 presents information on finding the noncustodial parent. Chapter 3 deals with establishing paternity, and includes discussion of the benefits of establishing paternity, and the problems associated with the father being in military or high school. Chapter 4 discusses the obligations related to establishing the support order. Detailed information is given on situations such as divorce, joint custody agreement, remarriage, parent in jail, and financial difficulties. Chapter 5 deals with enforcing the support order, including a discussion of child support problems raised by different kinds of financial situations. Chapter 6 discusses the difficulties faced by custodial parents who live in a different state from the parent who is obligated to pay child support. A glossary of child support enforcement terms, a list of state child support enforcement offices, and a list of regional offices of child support enforcement are appended. (MOK)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

Giving Hope and Support to America's Children

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL HAS BEEN GRANTED BY

David Siegel

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

ED 396 831

PS 024305

Handbook on Child Support Enforcememt

BEST COPY AVAILABLE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
Office of Child Support Enforcement

The Child Support Enforcement (CSE) Program is a Federal/State/ local partnership to collect child support: we are committed to sending the strongest possible message that parents cannot walk away from their children. Our goals are to ensure that children have the financial support of both their parents, to foster responsible behavior towards children, and to reduce welfare costs.

The CSE Program was established in 1975 as Title IV-D of the Social Security Act. It functions in all States and territories, through the State/county Social Services Department, Attorney General's Office or Department of Revenue. Most States work with prosecuting attorneys, other law enforcement agencies, and officials of family or domestic relations courts to carry out the program at the local level.

State Child Support Programs locate noncustodial parents, establish paternity, establish and enforce support orders, and collect child support payments. While programs vary from State to State, their services are available to all parents who need them.

The Federal Office of Child Support Enforcement is part of the U.S. Department of Health and Human Services. It helps States develop, manage, and operate their programs effectively and according to Federal law. The Office pays the major share of State program operating costs, provides policy guidance and technical help to enforcement agencies, conducts audits and educational programs, supports research, and shares ideas for program improvement.

We believe that child support enforcement provides hope as well as support to America's children. We dedicate this Handbook to the millions of parents who put their children first by responsibly providing for their emotional and financial support.

OCSE

GIVING HOPE AND SUPPORT TO AMERICA'S CHILDREN

HANDBOOK ON CHILD SUPPORT ENFORCEMENT

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Child Support Enforcement
Washington, D.C. 20447

Can you find the misprint on the cover? Is the booklet helpful? Do you have a suggestion about how to improve it? Write: OCSE Handbook, 370 L'Enfant Promenade, SW, Washington, DC 20447

FOREWORD

This Handbook on Child Support Enforcement is a "how-to" guide to help you get the child support payments your children need and deserve. We have written it to help close the gap between children and the millions of dollars owed them by parents who should help support them but do not.

Far too many children receive support from only one parent. Concern for the well-being of these children and a desire to reduce the costs to taxpayers of the Aid to Families with Dependent Children (AFDC) program prompted Congress to create a national Child Support Enforcement Program in 1975. Since that time enforcement remedies have improved steadily. Recent changes which strengthen the Program:

- It is now unlawful for someone to willfully fail to pay past due support for a child living in another State.
- States have procedures for easy voluntary acknowledgment of paternity including in-hospital programs.
- States have procedures to speed paternity establishment for cases in which paternity is contested.
- States must periodically report information to credit bureaus about parents who owe overdue support.
- States are required to enforce child support orders as written by another State.
- Changes in other Federal legislation require health insurers and all employers to comply with medical support provisions of child support orders and to assist in their enforcement.

The Federal Government, with its civilian and military employees, is the nation's largest single employer. A February 1995 Presidential Executive Order establishes the Federal Government as a model employer for child support enforcement. The order "...requires all Federal agencies, including the Uniformed Services, to cooperate fully in efforts to establish paternity and child support orders and to enforce the collection of child and medical support orders whenever such actions may be required."

TABLE OF CONTENTS

I. INTRODUCTION 1

How to apply for child support enforcement services....what they cost

II. FINDING THE NONCUSTODIAL PARENT: LOCATION 7

The initial search...Federal and State Parent Locators

III. ESTABLISHING FATHERHOOD: PATERNITY 9

Benefits...necessary evidence...consent agreement

IV. ESTABLISHING THE SUPPORT ORDER: OBLIGATION 13

Deciding the amount...changing the amount

V. ENFORCING THE SUPPORT ORDER: ENFORCEMENT 17

Techniques that work

VI. WORKING ACROSS STATE LINES: INTERSTATE COOPERATION 25

How to collect payments in another State...tracking your case

VII. CONCLUSION 31

APPENDIX 33

Glossary of Child Support Enforcement Terms 33
State Child Support Enforcement Offices 37
Regional Offices of the Office of Child Support Enforcement . . . 45
Child Support Enforcement Records 49

I. INTRODUCTION

Are you a parent--divorced, separated or never married--with children to support?

Do you need help to get a child support order?

Do you need help to collect child support payments from the parent who has a legal order to pay?

States must use effective enforcement methods on behalf of families who apply for child support enforcement services. The Child Support Enforcement (CSE) Program is run by the State Human Services Department, Attorney Generals Office, or Department of Revenue. To learn more about the program or to apply for child support services, call your local CSE office. Check the county listings in your telephone directory to get the telephone number, or call or write to the State CSE Agency listed at the back of this Handbook.

For the most part, child support enforcement problems are handled through local family and domestic courts according to State and local laws and practices. States use *administrative procedures** or other legal processes for establishing and enforcing support orders more quickly than is possible with most court proceedings.

In this Handbook, you will find the basic steps to follow to establish paternity and obtain a support order, and to collect the support due, whether you are working with your State or local CSE Program or your own attorney. The Handbook is organized so that you can refer directly to the sections you need.

Your State's Child Support Enforcement Program is available to help you:

- Find the noncustodial parent: **Location**
- Establish legal fatherhood for children: **Paternity**
- Establish the legal support order: **Obligation**
- Collect child support payments: **Enforcement**

* Words in italics are defined in the Glossary beginning on page 33.

Problems such as property settlement, *visitation* and *custody* are not, by themselves, child support enforcement issues, and by law, the CSE Program cannot extend its services to enforce court orders pertaining to them. Parents must deal with these issues through the local court system with the help of a private attorney.

The person you will be working with at your enforcement office may be called a caseworker, investigator, enforcement worker, collection specialist, or child support worker. The term "caseworker" will be used throughout this Handbook. Also, the words "court" or "judge" mean the official agency having the authority in your State to make legally binding decisions.

REMEMBER: The more you know about child support enforcement, the more you take an active role in getting information to your caseworker and ask questions about your case, the more success you will have in obtaining regular and full child support payments for your children.

Also, in today's society, about 85 percent of *custodial* parents are women and 15 percent of custodial parents are men. As you go through this Handbook, remember that either parent may be the noncustodial parent.

Who can get help?

Any parent or person with custody of a child who needs help to establish a child support or medical support obligation or to collect support payments can apply for child support enforcement services. People who receive assistance under the *Aid to Families with Dependent Children (AFDC)* or *Medicaid programs* or *Federally-assisted Foster Care* programs automatically receive child support enforcement services.

A father can apply for services to establish paternity and establish a legal relationship with his child.

A noncustodial parent whose case is not in the CSE Program can request services to make payments through the Program. Doing so can ensure that there is a record of payments made.

Where do I apply for help in obtaining child support?

Through your local child support enforcement (CSE) office. The number can be found in your local telephone directory usually under the State/County social services agency.

Is there an application fee?

Those receiving assistance under the AFDC, Medicaid, or Foster Care program do not have to pay for CSE services. For all others, a fee of up to $25 is charged, although some States absorb all or part of the fee or collect payment from the noncustodial parent.

Are there any other costs?

Child support agencies can recover all or part of the actual costs of their services from those who are not AFDC recipients. These can include the cost of legal work done by agency attorneys and costs for locating a noncustodial parent. Such costs may be deducted from the child support that is collected or may be collected from the noncustodial parent. Not all States recover the costs of their services. Your local CSE office can tell you about the practices in your State.

My State recovers costs from the custodial parent. How will I know how much will be deducted from my support checks?

Your caseworker should be able to give you an estimate of the costs involved in your case, and tell you approximately how much they will deduct from each check before sending it on to you.

Will I receive the entire amount of support the father pays?

If you have not received AFDC benefits, you will receive the total child support payment (less any fees the State may collect). If you are currently receiving AFDC, you will receive up to the first $50 of current support collected each month. The rest of the child support payment will help repay the government for your assistance payment. If you are no longer receiving AFDC, but amounts are still owed to the State, any support collected beyond the amount ordered for current support will be used to reduce the arrearages owed to the State.

Will there be an extra cost if the enforcement agency is dealing with the enforcement agency in another State?

Depending on the States involved, there may be extra costs if more than one State is handling your case. Ask your caseworker to estimate these costs, if any.

Will the enforcement agency keep track of my child support payments to make sure they keep coming? I am not on AFDC.

CSE offices are required to monitor payments to make sure they are made regularly and fully. But you should inform the agency if payments are late or in the wrong amount, or if you receive payments directly. When you monitor your case, you can keep the CSE office informed so that it can act quickly if needed.

I'm getting a divorce and my wife wants me to pay child support directly to her. Can I insist on paying through the CSE office?

You should send your payment to whomever is specified in the child support order. Either parent can apply for CSE services which include receiving and distributing payments. Since January, 1994, support orders must include a provision for *wage withholding* unless both parents and the courts agree on another payment method. If your order does not require wage withholding, you can request this service. If you do, you will have a record that you have made payments as required. If you are self employed, you may be able to arrange for an automatic transfer of funds to the child support agency through *electronic funds transfer*.

The father of my child lives across the State. I cannot afford to take the time off from work or travel there to appear in court. How can I get enforcement of my child support?

Usually, a court order entered in a State can be enforced anywhere in the State. Most local CSE offices handle enforcement in different court *jurisdictions* in the same State without your having to travel outside your own jurisdiction. Ask your local CSE office for details about how enforcement would work in your case.

I am applying for assistance under AFDC. Do I have to seek child support from the children's father?

To be eligible for AFDC, you must give your caseworker information to help to identify and collect child support from the father. If the State is able to collect child support on behalf of your children, you will receive up to the first $50 of current support collected each month without a decrease in your welfare payment. The rest of the child support payment will go towards reimbursing the State and Federal governments for the AFDC payments made to your family.

I am applying for AFDC, but I am afraid that the father may try to harm me or the children if I tell a caseworker who he is. What should I do?

Under certain conditions, the AFDC office may agree that you have "good cause" for not identifying or helping to locate the father. You will have a chance to explain the situation to your caseworker and provide supporting information.

My children and I need money now. Their father left us 10 years ago. Will the CSE office still try to find him?

By law, the CSE office must try to find the noncustodial parent. Be sure to give your caseworker any information you have that might help find him.

If the CSE office can't find him, does that mean I can't get AFDC?

No. You will get AFDC if you are trying to help find him. AFDC payments will be made to you while the CSE office tries to obtain support.

What does the child support enforcement agency need to know?

No matter where you start--establishing who the father is, finding the noncustodial parent, establishing or enforcing a support order--the CSE office must have the facts to pursue your case. The information you give will be treated in confidence.

What documents do I need to bring to the enforcement agency?

Whatever you have of the following information and documents will help the CSE office to locate the parent, establish paternity, and establish and/or enforce your child support case:

- name, address and social security number of the noncustodial parent
- children's birth certificates
- your child support order
- your divorce decree or separation agreement
- name and address of current or recent employer of the parent
- names of friends and relatives, names of organizations to which the noncustodial parent might belong
- information about the noncustodial parent's income and assets -

payslips, tax returns, bank accounts, investments or property holdings

- information about your income and assets
- if paternity is an issue, written statements (letters or notes) in which the alleged father has said or implied that the child is his

You play a big role in getting the child support your children deserve.

I'm the noncustodial parent. I love my kids. I pay my child support. About half the time when I go to pick them up for my weekend, my ex-wife has made other plans for them. It's not fair that the State will enforce my child support obligation but not do anything about my rights.

Although child support and visitation are separate issues, many States have tried to work out some way of helping with visitation problems. Check with your CSE office to see what resources are available to you and to find out about laws which address custody and visitation.

II. FINDING THE NONCUSTODIAL PARENT: LOCATION

To establish the paternity of a child, to obtain an order for support, and in most cases, to enforce that order, you must know where the other parent lives or works. When a legal claim is made by one person against another, the *defendant* must be given notice of the legal action taken and the steps necessary to protect his or her rights. To notify the noncustodial parent in advance--either by certified mail or in person--child support enforcement officials must have a correct address. If you do not have the address, the CSE office can help you find it.

I think the children's father is still in the area. What information will the enforcement office need to find him?

Most important is the social security number and current employer's name and address; also helpful are the names, addresses and phone numbers of any relatives, friends, or past employers who might know where he works or lives. Unions, local clubs or organizations, including professional organizations, might also have information. Finally, information about local creditors, such as banks or utility companies, might yield an address.

What if I don't have the social security number?

Check hospital records if the parent was a patient, bank accounts, old insurance policies, credit cards, payslips, or income tax returns. If you and the other parent filed a joint Federal income tax return in the last three years, the CSE office, can find the noncustodial parent's social security number even without a copy of the tax return. Also, past employers or business associates may have the number. If you still cannot find the social security number, your caseworker can try to find it. To do this, the caseworker will need at least three of the following pieces of information: the parent's name, place of birth, date of birth, his/her father' name, and his/her mother's maiden name.

What if the noncustodial parent cannot be found locally?

Your CSE office will ask the *State Parent Locator Service (SPLS)* to search. Using the social security number, the SPLS will check the records of other State agencies such as motor vehicle registration, unemployment insurance, income tax, and correctional facilities. If the SPLS search finds that the parent has moved to another State, it can ask the other State to search. At the same time, it can send a request to the *Federal Parent Locator Service (FPLS).*

What resources does the FPLS have?

The FPLS can search for a current address in the records of the Internal Revenue Service, the Department of Defense, the National Personnel Records Center, the Social Security Administration, the Department of Veterans Affairs, and State Employment Security Agencies. Any information found is sent back to the State or local enforcement agency.

Can I or my lawyer directly ask the FPLS to find an address for the other parent?

No. You or your private attorney can submit a request to use the FPLS only through the local or State Child Support Enforcement Agency.

Can State and Federal location efforts be made at the same time?

Yes. For instance, a search can be initiated by the State to another State and to the FPLS at the same time.

Can enforcement agencies use the Federal income tax return to find out where the noncustodial parent lives and what he or she makes?

Yes. Under certain conditions, the IRS, working through the State and Federal Child Support Enforcement Agencies, can disclose certain information from the tax return to the child support office which will be helpful in finding a noncustodial parent and determining his or her financial assets. The information can only be used for the purpose of enforcing child support payments.

What will happen when the caseworker has the current address of the noncustodial parent?

The worker will verify the home and work addresses, then may ask the parent to come to the CSE office for an interview, or notify him that legal action may be taken.

The father of my child is in the military, but I don't know where he is stationed. Can the enforcement agency find him?

Yes. The FPLS can provide the current duty station of a parent who is in any of the uniformed services.

III. ESTABLISHING FATHERHOOD: PATERNITY

A support order cannot be established for a child who is born to unmarried parents until the alleged father acknowledges paternity or is proven to be the father. How paternity is established is a matter of State law. The father can acknowledge paternity by signing a written admission or *voluntary acknowledgement* of paternity. The legal effect of this acknowledgment varies from State to State. However, in every State it creates a *presumption of paternity* and is the basis for seeking a child support order. If the man will not admit that he is the father, genetic testing can be ordered. Court involvement may be necessary.

If you want the father to assume legal responsibility for the child, it is important to establish paternity as soon as possible. While CSE offices must try to establish paternity for any child up to the child's 18th birthday, it is best to do it soon after the child's birth. It will be easier to locate the father and information needed will be more accurate and fresh. All States have programs under which birthing hospitals provide unmarried parents of a newborn the opportunity to voluntarily acknowledge the father's paternity of the child. It is not necessary to apply for child support enforcement services when acknowledging paternity at the hospital.

What are the benefits of establishing paternity?

Paternity establishment can provide basic emotional, social and economic ties between a father and his child.

Once paternity is established legally, a child gains legal rights and privileges. Among these may be rights to inheritance, rights to the father's medical and life insurance benefits, and to social security and possibly veterans' benefits. The child also has a chance to develop a relationship with the father, and to develop a sense of identity and connection to the "other half" of his or her family.

What will the enforcement caseworker need to know to try to establish paternity?

The caseworker needs as much information as you can give about the alleged father and the facts about your relationship with him, your pregnancy, and the birth of your child. Some of these questions may be personal. States must keep the information that you give confidential. The caseworker will also want to know whether he ever provided any financial support, or in any other way acknowledged--through letters or gifts--that

the child was his. A picture of the alleged father with the child is helpful, as well as any information from others who could confirm your relationship with him.

What if he denies he is the father, or says he's not sure?

Paternity can be determined by the evidence presented in court, including highly accurate tests conducted on blood samples of the man, mother and child. Genetic test results indicate a *probability of paternity* and can establish a legal presumption of paternity. These tests can exclude a wrongly accused man and can also indicate the likelihood of paternity if he is not excluded. All parties in a contested paternity case must submit to genetic tests at the request of either party.

If blood tests are necessary, who pays for them?

This varies. In some States, if the father is identified by the tests, he must assume responsibility at once and pay for the tests. In other States, if the mother is not an AFDC recipient, she may have to help pay for them.

What happens if I am not sure who the father is?

When more than one man could be the father of a baby, each may be required to take a genetic test. These tests are highly accurate, and it is almost always possible to determine who fathered a baby and to rule out any one who did not.

My boyfriend is on a military base abroad and I am about to have his child. How do I go about establishing paternity and obtaining an order for support?

You can apply for child support enforcement services at your local CSE office. If he is willing to sign documents to admit paternity and agree to support, then enforcement can proceed by a wage withholding order. If the man is on a naval ship or lives on a military base abroad and will not admit paternity, it may be necessary to wait until he returns to the United States for blood work to be done.

The father of my child said I would never get a paternity judgment on him because he'd just leave the State. What happens in this case?

If the accused father is found and fails to respond to a formal *complaint*

 BEST COPY AVAILABLE

served upon him, a *default judgment* can be entered in court. The default judgment establishes paternity. At the same time, a court order for support may be issued.

My boyfriend and I are still in high school, and our baby is 6 months old. Why should legal paternity be established if the father has no money to support the child?

Because when the father gets older and starts working, he will be able to support the child. Having paternity established legally, even if the order for support is delayed, means collecting child support will be easier later.

What happens after paternity is established?

The caseworker may discuss the child's needs with the father and what he is required to pay according to the State guidelines. Or, the parents may work out the terms of support with each other and sign a *consent agreement*, which, in most States, will need to be approved by the court. The agreement is made into a legal order spelling out how much is to be paid, and when. The court may also include at this time the exact terms of custody, visitation, and other parental rights. If you cannot work out an acceptable agreement that is in the best interests of the child, you or the father can request a formal hearing.

I don't want my daughter's father in our lives. I'd rather work two jobs and support my child myself than have him establish paternity. As long as I'm not on AFDC, why does establishing paternity matter?

There are few situations when it is not in children's best interest to have paternity established. Knowing their father and having his emotional and financial support is very important to children. The baby's father has the right to request genetic testing to prove that he is the father and can establish the legal right to a relationship with his child.

IV. ESTABLISHING THE SUPPORT ORDER: OBLIGATION

If child support enforcement becomes an issue, it is necessary to have a legal order for child support spelling out the amount of the *obligation* and how it is to be paid. However, data from the United States Census show that, of the over 11 million families with a parent living elsewhere, only 56 percent have legally binding support orders.

Establishing a support order depends on how much success you, your caseworker or lawyer have in several critical areas: locating the noncustodial parent, identifying what he or she can pay, and determining the financial needs of the child.

States are required to have support *guidelines* available to all people who set child support amounts. Most State guidelines consider the needs of the child, other dependents, and the ability of the parents to pay. States must use the guidelines unless they can be shown to be unfair to the child.

States today have arrangements for establishing the support order by an *administrative procedure* or other expedited legal procedure, in which the case does not have to be heard by a judge in court. The hearing may be conducted by a master or a referee of the court, or by an administrative hearings officer. An agreement made between the parents and approved by this kind of agency generally has the same effect as one established in court. It is legally binding on the parties concerned.

The agreement that the parents make should provide for the child's present and future well-being. It may be useful to discuss these issues together if you can, or with a mediator or family counselor. You can call your CSE office to find out about your State's guidelines.

How does the caseworker find out about the other parent's income or assets? I know very little about what he owns or makes.

The caseworker will make every possible effort to identify the parent's employment, property owned, and any other sources of income or assets. This information will usually be verified before the support order is final.

I'm sure the other parent is willing to pay support. Can we make an agreement between ourselves and present it to the court?

If parents can cooperate and agree, all the better. You can get help from a lawyer, mediator or family counselor. The court's sole interest in your

agreement is to see that it is fair to all parties, that the welfare of the children is protected, and that the agreement conforms with the guidelines.

Are the earnings of both parents considered in setting support awards?

In some State guidelines, the custodial parent's earnings are considered in setting the amount of the support order. Check with your CSE office. Laws vary from State to State, but parents who can work out a fair support agreement between themselves will have a better chance of having their wishes recognized in court.

My wife and I are working out a joint custody agreement. How would the court decide the amount of child support for each of us?

That depends a lot on the terms of your agreement. But the same two rules would apply: each parent's ability to pay and the needs of the child.

My husband's income is enough to support us without a sudden drop in our standard of living after the divorce. Do the courts consider this?

These decisions, again, are based on the State's guidelines. Of course, parents can try to have the amount of support changed if their financial situations change.

I just heard that my son's mother has had three promotions in the last four years but the child support is still like it was six years ago. Is there some way to find out when she has a raise?

CSE offices review child support orders every three years if the family is receiving AFDC. Other orders being enforced through the CSE Program may be reviewed every three years (or, at State's option, more often) if either parent requests such a review. Ask your caseworker for information about reviewing and, if appropriate, modifying your child support order.

What can I do to get my support increased if it is too low?

If you go to your CSE office for a modification of your order, they will need to determine the present income and assets of the *noncustodial parent*, together with your financial situation and the needs of the child. The agency can then seek a legal modification.

My ex-husband has remarried and has another family to support. How will this affect the support that my children are due?

Even though the noncustodial parent has a second family, this does not eliminate responsibility to the first family. In some States, the judge may grant the noncustodial parent a decrease in the obligation based on guidelines for child support. You should be notified beforehand and given an opportunity to contest the proposed change. Other factors which could lower the support order include steady employment of the child or poor health or decreased earning ability of the noncustodial parent.

My children's father is divorcing again and will have another child support order. We live in another State and I'm afraid that this second order will be enforced before mine.

All State guidelines indicate how child support is to be shared when there is more than one order for child support. If his available income is not enough for both orders, the amount of support sent for your children may be reduced, but you will receive a share of the support as determined by the guidelines. Ask your caseworker for more information.

I can't get health insurance with my job but my ex-husband gets good benefits where he works. Can he be required to carry the children on his insurance?

Yes. The CSE Agency must petition the court to include *medical support* in any order for child support when employment related or other group health insurance is available to the noncustodial parent at a reasonable cost. Court orders can also be modified to include health care coverage.

If you are not receiving AFDC or Medicaid, the CSE Agency will help you enforce a medical support order if you want it to. If you do not want its help, you may decline it.

A recent Federal law requires States to pass laws which should make medical support enforcement easier. For example, insurers will no longer be able to refuse to enroll a child in a parent's health care plan because the parents were not married or because the child does not live in the same household as the enrolled parent. The law also created a tool that child support agencies will be able to use to establish and enforce medical support when the noncustodial parent participates in a group health plan but does not enroll the child.

This law provides that parents can obtain information about coverage directly from an insurer, submit claims directly to the insurer, and be reimbursed directly by an insurer. For specific information about these laws in your State we suggest you contact the CSE office.

The father of my child is in jail. Can I get support?

Past-due support may accumulate while the father is in jail. But unless he has other assets, such as property or any income such as wages from a work-release program, it is unlikely that support can be collected while he is in jail. However, your support order may be modified so that payment is deferred until he is released and working.

After I pay my child support, I don't even have enough money for decent food. When my child support order was set I was making about $300 a month more than I am now. Can I get the order changed?

Either parent can request a review, and adjustment, if appropriate, of a child support obligation every 36 months. Check with your CSE office to see if your child support obligation is in line with State guidelines and ask how to request a review.

If your case does not meet the State's standards for review, either because the order has been reviewed within three years and/or the change in income is smaller than would merit an adjustment under State standards, you may still be able to petition the courts for a hearing. In this case, it would be helpful to have the services of an attorney. Your local legal aid society may be able to provide low-cost counsel to parents who cannot afford a private attorney. Also a number of States have information about how to handle your case pro se (a legal term for representing yourself) to have the courts determine if your support obligation should be changed.

Is there a limit to the amount of money that can be taken from my paycheck for child support?

The amount that can be withheld from an employee's disposable wages is limited by the Federal Consumer Credit Protection Act (FCCPA) to 50 percent of disposable earnings if an obligated parent has a second family and 60 percent if there is no second family. These limits are each increased by 5 percent (to 55% and 65%) if payments are in arrears for a period equal to 12 weeks or more. State law may further limit the amount that can be taken from a wage earner's paycheck.

V. ENFORCING THE SUPPORT ORDER: ENFORCEMENT

A main objective of the Child Support Enforcement program is to make sure that child support payments are made regularly and in the correct amount. While many *noncustodial parents* are involved in their children's lives and are willing to pay child support, lapses of payment do occur. When they do, a family's budget can be quickly and seriously threatened, and the anxiety the *custodial parent* feels can easily disrupt the family's life.

For this reason, Congress decided that *immediate wage withholding* should be included in all court orders. For child support orders issued or modified through State CSE Programs, immediate wage withholding began November 1, 1990. Immediate wage withholding began January 1, 1994 for all initial orders which are not established through the CSE Program.

For older orders, Federal law requires that there is provision for wage withholding for child support if there is an arrearage in the amount of at least one month's obligation. If there is an arrearage, a wage withholding order can be issued to the employer without changing the original order, and without applying for services at the CSE Agency.

States, at their option, can apply withholding to sources of income other than wages. The law allows for an exception to immediate wage withholding if the court (or administrative process) finds good cause, or if both parents agree to an alternative arrangement. In these cases, an arrearage equal to one month's payment will trigger withholding.

If the noncustodial parent has a regular job, wage withholding for child support can be treated like other forms of payroll deduction - income tax, social security, union dues or any other required payment.

If payments are skipped or stop entirely, especially if the noncustodial parent is self-employed, works for cash or commissions, changes employment, or moves frequently, the CSE office will try to enforce the support order.

States have laws which allow them to use other enforcement techniques, such as seizing State and Federal income tax refunds, *liens* on real or personal property owned by the debtor, orders to withhold and deliver property that may satisfy the debt, or a seizure and sale of property with the proceeds from the sale applied to the support debt. Some of these methods can be used by the CSE office without directly involving the courts.

The children's father refuses to pay child support, but owns a good deal of property in the county. Can a lien be issued at the same time the order for support is established in court?

Yes. But you must remember a lien on property does not by itself result in the immediate collection of any money. It only prevents the owner from selling, transferring, or borrowing against the property until the child support debt is paid. However, the presence of a property lien may encourage the noncustodial parent to pay the past-due child support in order to retain clear title to the property.

Is it possible to collect the support payments from his personal property?

Under some State laws, the enforcement official can issue an order to withhold and deliver. The order is sent to the person, company, or institution that is holding property belonging to the debtor, such as a bank account, investments, or personal property. The holder of the property must deliver it either to the enforcement agency or court that issued the support order. Some States permit the property to be attached or seized and sold to pay the debt. Some States require noncustodial parents with a poor payment history to pledge property as a guarantee of payment. Non-payment results in forfeiture of the property.

I am working with a private attorney. Can she request wage withholding for my child support payments?

Yes. All support orders issued or modified since 1985 must include a provision for wage withholding when *arrearages* occur. All orders issued after January 1994 must require immediate wage withholding unless both parents agree to another payment plan. This allows you to collect support through wage withholding if you use a private attorney rather than the CSE office. States set the conditions under which wage withholding applies and they can, if they choose, apply withholding to other kinds of income in addition to wages, such as bonuses, commissions, retirement, rental or interest income.

Can I have the wage withholding applied to my existing child support order?

Yes, you can apply for the wage withholding through your local CSE office or your attorney. Though there are limits on how much of a person's check can be withheld, wage withholding can be used for both ongoing

support and arrearages. Ask the CSE Agency how this can be done.

Why can't my attorney work on my child support problem while I am receiving services from the child support program?

Your attorney can work with the child support program. For best results, they should coordinate their efforts to prevent duplication of services and conflicting enforcement decisions.

My child's mother works for a big company and has moved several times in her job. Can wage withholding work in this case?

Yes. States must recognize the wage withholding orders from other States, and continue the wage withholding as ordered, without regard to where the noncustodial parent or the custodial parent and children live.

My ex-husband has a good job and is willing to have the payments deducted from his paycheck, but his employer won't do it. What can I do?

Under Federal law, an employer **must** withhold the support if ordered to, or if the noncustodial parent requests it. If you run into problems with an employer, seek the assistance of your CSE office.

The children's father works irregularly and is paid in cash. Wage withholding won't work for me. What will?

Automatic billing, telephone reminders, and delinquency notices from your CSE office might convince him to make regular payments. Other techniques, such as property attachment, credit bureau reporting, tax refund offset, *garnishment*, and liens might work for the arrearages. If none of these is successful, your enforcement office can take the case to court for stronger enforcement methods.

My ex-wife has her own computer programming service. How does the CSE office find out how much she earns, and how can they collect the money?

The CSE office has access to information from the Internal Revenue Service to determine her income and assets. This information will help to set the support order amount.

Cases involving self-employed noncustodial parents can be the most

challenging to work, and often take more time and effort. If it is not possible to arrange for an allotment or withholding, it may be possible to secure liens on her payments from regular clients or to garnish her bank account. Knowing that arrears will be reported to a credit bureau may give her a strong incentive to comply with the order. Provide your caseworker with as much information as you can about the business and her clients.

My children's father owns a cross-country moving van and a nice home. Why won't the child support office put a lien on either one?

Most States will not put a lien on a primary residence or attach property which a person needs to make a living. Talk to your caseworker about what kinds of property are available for liens and attachment in your State.

My ex-spouse is in the Army. How do I go about having child support payments deducted from a paycheck?

Under a Federal law, military allotments for child and spousal support can be either voluntary or involuntary. If a service member is not meeting a support obligation, a military official (usually the finance officer) can have the payments deducted in accordance with the support order. Ask your CSE office for information on how to start this action.

My children's father retired from the Navy when he was only 40, just before our divorce. Can his military retirement check be garnished for back child support?

Yes, it is possible to garnish the wages of active, reserve and retired members of the military and Federal government civilian employees. With the assistance of your caseworker or lawyer, you can get a garnishment order from the court and send it with a certified copy of your child support order to the designated official. Your local enforcement office can tell you the exact procedures and follow through on your behalf.

The children's mother works for the Federal government. She was recently transferred and stopped making payments. What do I have to do to get them started again?

All Federal employees are subject to wage withholding, and there is a central payment office for each Department, so moves within the Department do not affect a wage withholding order. If you do not have a formal support order, ask a child support office or an attorney about

establishing one. If you have a child support order, your CSE office or attorney can help you to secure payments by wage withholding. If she has moved to a different Department, the Federal Parent Locator Service (FPLS) can provide her new location.

Can past-due child support be taken from the State income tax refund?

Under Federal law, all States with State income tax must *offset* State income tax refunds for past-due support owed to both AFDC recipients and non-AFDC recipients.

How does the non-paying parent find out that his or her State tax refund will be taken?

The State must notify the noncustodial parent in advance of taking the action. The notice specifies the amount owed in arrears and the amount to be offset. It also tells whom to contact if the person wants to contest the offset.

Can Federal income tax refunds be offset the same way?

Yes, States can request an offset of Federal income tax refunds for past-due support of over $500 owed to persons not receiving AFDC as well as over $150 owed to AFDC recipients.

The children's father lost his job and is collecting unemployment compensation. Can child support payments be deducted and sent to me?

Yes. Unemployment compensation, and other State and Federal benefits can be tapped for child support. Ask your caseworker about the procedures, and make sure you tell your caseworker immediately if you learn about changes in the father's employment situation.

Doesn't the Internal Revenue Service also have methods it can use to help us get the support owed?

Yes, there are several, but they are only available through the authority of the Federal/State Child Support Enforcement program. Your caseworker may be able to make a request for use of the IRS "full collection" technique, or for an offset of the noncustodial parent's tax refund for past-due amounts. Contact your caseworker for more information.

By my own calculation, my husband owes me $3,475 in past due child support. Can the enforcement agency try to collect it for me?

If this support was owed before the CSE office became involved in your case, the CSE office has to verify the amount owed. Then it may have to present the documentation to a court before it can start collection procedures. While it is doing this, the agency can try to collect support payments for current months.

I heard that my children's father is buying a very expensive car. He owes over $5,000 in back support. Can the credit agency be told this?

Yes. By Federal law, the CSE office must periodically report the amount of child support owed if the amount is over $1,000, and lesser amounts, if it chooses. Consult your caseworker for more information.

The other parent does not work regularly and keeps falling behind in his child support payments. Is there any way the court can establish regular payment?

As mentioned before, property liens and attachments might work. In certain cases Federal law also authorizes that the parent be required to post security, bond, or other guarantee to cover support obligations. These may be in the form of money or property. Ask your enforcement caseworker if these might be applied to your case.

My ex-husband lives and works on an Indian Reservation. My caseworker hasn't been able to get any support for me. What can I do?

It can be difficult to establish or enforce a child support order when the parent lives and works on an Indian Reservation. Native Americans living on Reservations are governed by their own tribal courts and judicial system. Some tribal courts have reached agreements with State CSE Agencies to establish and enforce child support orders. For these, State and local CSE staff can work with the tribal courts to establish and enforce child support orders. State CSE Agencies and OCSE are currently working with other tribes to develop agreements or otherwise solve this complex problem.

Stay in touch with your State or local CSE office, and be sure to provide any information about employment or assets that your ex-husband may have off the Reservation.

My ex-wife has declared bankruptcy and says she doesn't have to pay child support. Is that true?

Child support payments generally cannot be discharged in bankruptcy. This means that the parent who owed child support cannot escape this duty by filing for bankruptcy. As of October 1994, bankruptcies do not act as a *stay*, or hold, on actions to establish paternity or to establish or modify child support obligations. The relationship between child support and bankruptcy is complex, and you may need the help of someone familiar with bankruptcy law. Ask your caseworker how the CSE office can help.

My daughter's father says that since he gives her gifts and money he does not have to pay child support.

Courts generally will not allow gifts to a child to take the place of child support, and require that child support payments are carried out as ordered by the child support agreement. In some cases, if the voluntary payment is larger than a normal gift would be, a court may decide to credit the payment as a child support payment.

Will the Federal Government step in to enforce a difficult child support case?

No. State and local offices are responsible for establishing paternity and establishing and enforcing child support orders. The Federal Government tries to make sure that States are using all appropriate enforcement techniques. It pays much of the cost of the program, issues policies, offers technical assistance, and reviews State programs for compliance with Federal requirements.

The child support office is not enforcing my case. Can I take it to a Federal Court?

If your caseworker and State CSE office have had no response to their requests for enforcement in another *jurisdiction*, it is possible for the case to be heard by a Federal court. This is not done often and the decision to use a Federal court will be made by the Federal Regional Office of Child Support Enforcement at the request of your caseworker and the State enforcement office. If you are not satisfied with the services you are receiving in your local CSE office, you can ask your State CSE Agency for help. State Agency addresses are listed at the end of the Handbook.

My children are over 18 and don't get child support any more, but there is still a $10,000 arrearage owed to me for support that was never paid. Will the CSE office collect that money for me?

If State law allows your State to collect support for a child who is no longer a minor, the CSE office is required by Federal law to collect the back support. Ask your CSE office for more information.

Can my children be provided for if my ex-husband dies?

A well written child support order should provide for continued support if the noncustodial parent should die. The child support payments should be defined as a claim against his estate. The children can also be named as beneficiaries in your ex-husband's life insurance policy or will.

The children's mother lives in another State and we don't know when she is buying something. Every time the kids come home from there they talk about her new car or stove or something, but she still won't pay her child support. Why can she get credit if the courts know she owes her kids so much?

CSE offices now must report child support arrearages of over $1000 (or less at State option) to credit bureaus. The State notifies the noncustodial parent if the overdue debt will be reported to the credit reporting network. That sometimes is enough to encourage the noncustodial parent to pay the overdue support.

VI. WORKING ACROSS STATE LINES: INTERSTATE COOPERATION

The most difficult child support cases to pursue are those in which the parent obligated to pay child support lives in one State and the child and custodial parent live in another. However, all States are required to pursue child support enforcement, including location, paternity establishment, establishment of support obligations, as vigorously for children who live outside their borders as for those under their own *jurisdiction*. Federal law requires States to work through the necessary steps that lead to enforcement within specific timeframes.

State enforcement agencies must cooperate with each other in handling requests for assistance. However, it is not a simple matter for one State to enforce automatically the court orders of another State. Each State has an independent court system with varying laws, practices and traditions. Matters of family law have traditionally been under State and local governments, and, in general, citizens are under the jurisdiction of courts where they live.

Each State has a law which allows it to refer cases to other States, and requires it to work cases that are sent to it by other States. Until a few years ago, all States had a law called the *Uniform Reciprocal Enforcement of Support Act (URESA)*. Several States have adopted a newer interstate model act called the *Uniform Interstate Family Support Act (UIFSA)*. Both URESA and UIFSA have procedures under which an enforcement official (or private attorney) can refer a petition for filing in another State. The law can be used to establish paternity and to establish, modify, or enforce a support order. A URESA State should be able to refer a case to a UIFSA State, and vice versa.

UIFSA includes a provision designed to ensure that, when more than one State is involved, there is only one valid child support order which can be enforced for current support. UIFSA includes a provision which allows a State to work a case against an out-of-State obligor if certain conditions are met.

Interstate *wage withholding* can be used to enforce a support order in another State if the *noncustodial parent*'s employer is known. When this is the case, weeks of waiting for court dates can be saved. With interstate wage withholding, the CSE office in the State where the noncustodial parent lives will make sure that a wage withholding order from another State contains all the information required by their State laws and will

BEST COPY AVAILABLE

forward it to the noncustodial parent's employer. The order does not have to go through the courts as it would with an interstate child support enforcement petition. State laws vary and you will need to ask your caseworker whether this technique will work in your case.

State CSE Agencies all have an office called the Central Registry. The Central Registry receives incoming interstate child support cases, reviews them to make sure that the information given is complete, sends them to the right local office and responds to inquiries from child support offices. Standard forms make it easier for caseworkers to find the information they need to enforce a case, and to be sure they are supplying enough information for another State to enforce their case.

I know the address of my children's father in another State, and my caseworker sent a petition to establish my support order there. That was three months ago, and still no support payments. What's wrong?

It may be any number of things: enforcement officials may not be able to serve notice on the noncustodial parent due to inadequate address information; if a hearing is necessary, it may take a while to get a court date. Continue to keep in touch with your caseworker to resolve any delay or to provide any new information you may have.

I need to establish paternity for my child, and the father lives in another part of the country. How does this work?

Because State paternity laws vary widely, it is more difficult to establish paternity across State lines. Your State may be able to claim jurisdiction and establish paternity if the alleged father had lived there or the child was conceived in your State. Otherwise your State can petition the other State to establish paternity under their laws. Often, genetic tests will be ordered to help prove paternity. Ask your caseworker for specific information about the laws in your State and the State where the other parent lives.

My caseworker filed a URESA petition for paternity. The father denied it, and the other court just dismissed the case. What went wrong?

A responding State's CSE office should not dismiss a case without asking for the information it needs. The initiating State is required to provide that information in 30 days. Either party in a contested paternity action can request blood or genetic testing. Ask your caseworker to reopen the case. Paternity may now be established until your child's 18th birthday.

If paternity is established in another state, will the support order also be entered in that State?

Yes. Ask your caseworker how this is done.

I have had to wait several months for my enforcement agency to get a reply to its request for location assistance in another State. Why does it take so long to get an answer?

Even though they try to be responsive, enforcement agencies have a very high demand for their services. A State's ability to act rapidly depends on the characteristics of the case, the quality of information received, and the amount of staff and other resources they have to devote to it. Be sure to follow up regularly with your caseworker to make sure that each State is responding within the time limits allowed.

As soon as the children's father is notified about enforcement, he moves. How will I ever be able to collect my support?

Many custodial parents are angry when, after the noncustodial parent is finally located and served notice of the enforcement action, he or she moves on. It is difficult to enforce child support payments when the noncustodial parent intentionally moves to avoid paying. Try to be an active participant in your own case. Whenever you learn that the noncustodial parent has moved or has a new job, you should tell your caseworker as soon as possible.

Isn't there a law now that makes it a Federal crime to not pay child support if the child lives in another State?

The Child Support Recovery Act of 1992 makes it a Federal crime to willfully fail to pay support for a child living in another State.

Briefly, in order to prosecute under this Act, the United States Attorney's Office must prove that the noncustodial parent was financially able to meet his/her obligation at the time the payment was due. If support arrearages are more than $5,000 or are unpaid for longer than one year, the noncustodial parent is subject to punishment. A major consideration in screening a case for Federal prosecution is whether all reasonably available civil and State criminal remedies have been pursued first. Next, priority is given to cases: (1) where there is a pattern of moving from State to State to avoid payment; (2) where there is a pattern of deception (e.g., use of

false name or Social Security Number); (3) where there is failure to make support payments after being held in contempt of court; and (4) where failure to make support payments is connected to some other Federal offense such as bankruptcy fraud.

My former wife lives in another State. She owns an expensive car, jewelry, and several pieces of property. Would a URESA petition let me attach this property for child support?

This may be possible after a judgment is obtained in the State where she lives. Before filing the petition, your enforcement worker or lawyer may be able to see if a "withhold and deliver" or "attachment" of the property could be successfully carried out,

Will location and enforcement services cost more if my agency is dealing with another State? I am not receiving AFDC.

Possibly. It depends on what the CSE office has to do to find the noncustodial parent and to establish regular payment. The more solid information and leads you provide, the more efficiently your case can be conducted. For non-AFDC cases, States vary in the fees they charge for services. Your caseworker should be able to tell you more about these costs in your particular case. (See discussion in **Introduction.**)

I don't have a support order. Can I have one established by petitioning the court where my ex-husband lives?

Yes, this can also be done by your CSE office. Depending on the facts, it could be handled in your State or referred to another State under URESA or UIFSA. An affidavit of the facts, including the name and address of the responsible parent, details of your financial circumstances, and the needs of the child will be included. The petition will be mailed to the enforcement agency, the court, or the interstate official where the father lives. The court in the responding State will review this information together with information about the father's ability to pay, and set the amount to be paid.

The father of my child has left the United States. How can I get my court order for child support enforced?

Check with your local CSE office and State CSE Agency (at the address listed in the back of this Handbook). Many State CSE Agencies have

agreements with foreign countries to recognize child support judgments made in either country. You will need the same kind of information as is required for enforcement in this country and as much specific address information as you can find. If the noncustodial parent works for an American company, or for a foreign company with offices in the United States, wage withholding might work even if the country he lives in does not have any agreement to enforce an American State's order.

I checked with the CSE office, but my daughter's father lives in a country that has no agreement with any State to enforce child support obligations. Is there anything else to try?

The Office of Citizens Consular Services may be able to give you information about how to have the support order enforced in that country and how to obtain a list of attorneys there. That address is: Department of State, Office of Citizens Consular Services, Washington, D.C. 20520.

VII. CONCLUSION

The success you have in obtaining regular, adequate, and full child support payments depends to a great extent on how well you can make the child support enforcement system work for you. At the same time it is important to remember that not all the solutions to your child support problems are within your control. The legal rights and welfare of all parties must be carefully guarded, and sometimes laws that protect the rights of one parent seem unfair to the other.

Knowledge is power. The more you know about child support enforcement procedures where you and the noncustodial parent live, the better you will be able to exercise your rights and responsibilities under the law, and the more successful you will be in obtaining the support that rightfully belongs to your children. As you proceed with your enforcement case, it is a good idea to keep a written account of the actions taken and the outcomes of those actions. Do not hesitate to ask questions and make suggestions to your enforcement caseworker. If you are not satisfied with the actions taken on your behalf, you have recourse to the head of the county CSE office as well as to the Director of the State Child Support Enforcement agency. Keep in mind that it is always best to communicate the problem in writing.

An informed parent can make the child support enforcement system work. This, together with improvements that State enforcement programs, legislatures and the courts are making, can benefit millions of parents and their children.

APPENDIX

GLOSSARY OF CHILD SUPPORT ENFORCEMENT TERMS

administrative procedure	method by which support orders are made and enforced by an executive agency rather than by courts and judges
Aid to Families with Dependent Children of (AFDC)	assistance payments made on behalf of children who don't have the financial support one of their parents by reason of death, disability, or continued absence from the home; known in many States as ADC, Aid to Dependent Children
arrearages	unpaid child support for past periods owed by a parent who is obligated to pay
assignment of support rights	a person receiving public assistance agrees to turn over to the State any right to child support, including arrearages, paid by the obligated parent in exchange for receipt of an AFDC grant and other benefits
complaint	written document filed in court in which the person initiating the action names the persons, allegations, and relief sought
consent agreement	voluntary written admission of paternity or responsibility for support
custodial parent	person with legal custody and with whom the child lives; may be parent, other relative or someone else
custody	legal determination which establishes with whom a child shall live
default	failure of a defendant to file an answer, response, or appeal in a civil case after having been served with a summons and complaint

default judgment	decision made by the court when the defendant fails to respond
defendant	person against whom a civil or criminal proceeding is begun
electronic funds transfer	transfer of money from one bank account to another or to a CSE Agency
enforcement	obtaining payment of a child support or medical support obligation
Federal Parent Locator Service (FPLS)	a service operated by the Federal Office of Child Support Enforcement to help the States locate parents to obtain child support payments; also used in cases of parental kidnapping related to custody and visitation determinations; FPLS obtains address and employer information from Federal agencies
Federally-assisted Foster Care	a program, funded in part by the Federal government, under which a child is raised in a household by someone other than his or her own parent
garnishment	a legal proceeding under which part of a person's wages and/or assets is withheld for payment of a debt
genetic testing	analysis of inherited factors (usually by blood test) of mother, child and alleged father which can help to prove or disprove that a particular man fathered a particular child
guidelines	a standard method for setting child support obligations based on the income of the parent(s) and other factors as determined by State law
immediate wage withholding	automatic deductions from income which start as soon as the agreement for support is established - see wage withholding

jurisdiction	legal authority which a court has over particular persons, certain types of cases, and in a defined geographical area
legal father	a man who is recognized by law as the male parent
lien	a claim upon property to prevent sale or transfer until a debt is satisfied
long arm statute	a law which permits one State to claim personal jurisdiction over someone who lives in another State
medicaid program	federally funded medical support for low income families
medical support	legal provision for payment of medical and dental bills -can be linked to a parent's access to medical insurance
noncustodial parent	parent who does not have primary custody of a child but who has a responsibility for financial support
obligation	amount of money to be paid as support by the responsible parent and the manner by which it is to be paid
offset	amount of money taken from a parent's State or Federal income tax refund to satisfy a child support debt
order	direction of a magistrate, judge or properly empowered administrative officer
paternity judgement	legal determination of fatherhood
plaintiff	person who brings an action, complains or sues in a civil case
presumption of paternity	a rule of law under which evidence of a man's paternity (e.g. voluntary acknowledgment, genetic test results) creates a presumption that

	the man is the father of a child. A rebuttable presumption can be rebutted by evidence that the man is not the father, but it shifts the burden of proof to the father to disprove paternity.
probability of paternity	the probability that the alleged father is the biological father of the child as indicated by genetic test results.
public assistance	money granted from the State/ Federal Aid to Families with Dependent Children program to a person or family for living expenses; eligibility based on need
State Parent Locator Service (SPLS)	a service operated by the State Child Support Enforcement Agencies to locate noncustodial parents to establish paternity, and establish and enforce child support obligations
stay	a stopping: the act of arresting a judicial proceeding by an order of a court
Uniform Interstate Family Support Act (UIFSA), and Uniform Reciprocal Enforcement of Support Act (URESA)	laws enacted at the State level which provide mechanisms for establishing and enforcing support obligations when the noncustodial parent lives in one state and the custodial parent and children live in another
visitation	the right of a non-custodial parent to visit or spend time with his or her children following separation or divorce
voluntary acknowledgement of paternity	an acknowledgement by a man, or both parents, that the man is the father of a child, usually provided in writing on an affidavit or form
wage withholding	procedure by which automatic deductions are made from wage or income to pay some debt such as child support; may be voluntary or involuntary

STATE CHILD SUPPORT ENFORCEMENT OFFICES

ALABAMA

Department of Human Resources
Division of Child Support
50 Ripley Street
Montgomery, AL 36130-1801
(334) 242-9300
FAX: (334) 242-0606
1-800-284-4347 [1]

ALASKA

Child Support Enforcement Division
550 West 7th Avenue, Suite 310
Anchorage, AK 99501-6699
(907) 269-6900
FAX: (907) 269-6813
1-800-478-3300

ARIZONA

Division of Child Support Enforcement
3443 N. Central Avenue
Phoenix, AZ 85012
(602) 252-4045
1-800-882-4151[1]

ARKANSAS

Office of Child Support Enforcement
P.O. Box 8133
Little Rock, AR 72203
Street Address: 712 West Third
Little Rock, AR 72201
(501) 682-8398
FAX: (501) 682-6002
1-800-264-2445[2] (Payments)
1-800-247-4549[2] (Program)

CALIFORNIA

Office of Child Support
Department of Social Services
744 P Street, Mail Stop 17-29
Sacramento, CA 95814
(916) 654-1532
1-800-777-2515[1]

COLORADO

Division of Child Support Enforcement
1575 Sherman Street, 2nd Floor
Denver, CO 80203
(303) 866-5994
FAX: (303) 866-2214
(no toll-free number)

CONNECTICUT

Department of Social Services
Bureau of Child Support Enforcement
25 Sigourney Street
Hartford, CT 06105-5033
(203) 566-1830
FAX: (203) 951-2996
1-800-228-5437[2] (problems)
1-800-647-8872[2] (information)
1-800-698-0572[2] (payments)

DELAWARE

Division of Child Support Enforcement
Delaware Health and Social Services
1901 North Dupont Hwy
P.O. Box 904
New Castle, DE 19720
(302) 577-4863
FAX: (302) 577-4873
(no toll-free number)

DISTRICT OF COLUMBIA

Office of Paternity and
Child Support Enforcement
Department of Human Services
613 G Street NW, 10th Floor
Washington, DC 20001
(202) 724-8800
FAX: (202) 724-5154
(no toll-free number)

40

[1]In-State Only
[2]Nationwide

FLORIDA

Child Support Enforcement Program
Department of Revenue
P.O. Box 8030
Tallahassee, FL 32314-8030
(904) 922-9590
FAX: (904) 488-4401
1-800-622-5347[1]

GEORGIA

Child Support Enforcement
2 Peachtree Street, N.W. Suite 15-107
P.O. Box 38450
Atlanta, GA 30334-0450
(404) 657-3851
FAX: (404) 657-3326
1-800-227-7993[1]

GUAM

Department of Law
Child Support Enforcement Office
238 Archbishop F.C. Flores, 7th Floor
Agana, GU 96910
011 (671) 475-3360
(no toll-free number)

HAWAII

Child Support Enforcement Agency
Department of Attorney General
680 Iwilet Street, Suite 490
Honolulu, HI 96817
(808) 587-3698
(no toll-free number)

IDAHO

Bureau of Child Support Services
Department of Health and Welfare
450 West State Street, 5th Floor
Boise, ID 83720 - 5005
(208) 334-5710
FAX: (208) 334-0666
1-800-356-9868[2]

ILLINOIS

Child Support Enforcement Division
Illinois Department of Public Aid
201 South Grand Avenue East
Springfield, IL 62763-0001
(217) 524-4602
FAX: (217) 524-4608
1-800-447-4278

INDIANA

Child Support Bureau
402 West Washington Street, Rm W360
Indianapolis, IN 46204
(317) 232-4894
FAX: (317) 233-4925
1-800-622-4932[2]

IOWA

Bureau of Collections
Department of Human Services
Hoover Building 5th Floor
Des Moines, IA 50319
(515) 281-5580
FAX: (515) 281-4597
(no toll-free number)

KANSAS

Child Support Enforcement Program
Department of Social &
Rehabilitation Services
P.O. Box 497
Topeka, KS 66601
Street Address: 300 S.W. Oakley Street,
Biddle Building
Topeka, KS 66606
(913) 296-3237
FAX: (913) 296-5206
1-800-432-0152 (Withholding)
1-800-570-6743 (Collections)
1-800-432-3913 (Fraud Hotline)

BEST COPY AVAILABLE

[1]In-State Only
[2]Nationwide

KENTUCKY

Division of Child Support Enforcement
Cabinet for Human Resources
275 East Main Street, 6th Floor East
Frankfort, KY 40621
(502) 564-2285
FAX: (502) 564-5988
1-800-248-1163[1]

LOUISIANA

Support Enforcement Services
Office of Family Support
P.O. Box 94065
Baton Rouge, LA 70804-4065
(504) 342-4780
FAX: (504) 342-7397
1-800-256-4650[1] (Paymnts)

MAINE

Division of Support Enforcement
and Recovery
Bureau of Income Maintenance
Department of Human Services
State House Station 11 Whitten Road
Augusta, ME 04333
(207) 287-2886
FAX: (207) 287-5096
1-800-371-3101[1]

MARYLAND

Child Support Enforcement
Administration
Department of Human Resources
311 West Saratoga Street
Baltimore, MD 21201
(410) 767-7619
FAX: (410) 333-8992
1-800-332-6347[1]

MASSACHUSETTS

Child Support Enforcement Division
Department of Revenue
141 Portland Street
Cambridge, MA 02139-1937
(617) 577-7200
FAX: (617) 621-4991
1-800-332-2733[1]

MICHIGAN

Office of Child Support
Department of Social Services
P.O. Box 30037
Lansing, MI 48909
Street Address: 235 South Grand Ave
Suite 1406
Lansing, MI 48933
(517) 373-7570
FAX: (517) 373-4980
(no toll-free number)

MINNESOTA

Office of Child Support Enforcement
Department of Human Services
444 Lafayette Road, 4th floor
St. Paul, MN 55155-3846
(612) 296-2542
FAX: (612) 297-4450
(no toll-free number)

MISSISSIPPI

Division of Child Support Enforcement
Department of Human Services
P.O. Box 352
Jackson, MS 39205
Street Address: 750 N. State Street
Jackson, MS 39202
(601) 359-4500
FAX: (601) 359-4415
1-800-948-4010[1]

MISSOURI

Department of Social Services
Division of Child Support Enforcement
227 Metro Drive
P.O. Box 1527
Jefferson City, MO 65102-1527
(314) 751-4301
FAX: (314) 751-8450
1-800-859-7999

[1]In-State Only
[2]Nationwide

MONTANA

Child Support Enforcement Division
Department of Public Health
and Human Services
P.O. Box 202943
Helena, MT 59620
(406) 444-4614
FAX: (406) 444-1370
1-800-346-5437[1]

NEBRASKA

Child Support Enforcement Office
Department of Social Services
P.O. Box 95026
Lincoln, NE 68509
Street Address: 301 Centennial Mall S
5th Floor
Lincoln, NE 68509
(402) 471-9103
FAX: (402) 471-9455
1-800-831-4573[1]

NEVADA

Child Support Enforcement Program
Nevada State Welfare Division
2527 North Carson Street
Carson City, NV 89710
(702) 687-4744
1-800-922-0900[1]

NEW HAMPSHIRE

Office of Child Support
Division of Human Services
Health and Human Services Building
6 Hazen Drive
Concord, NH 03301
(603) 271-4426
FAX: (603) 271-4787
1-800-852-3345 ext. 4427

NEW JERSEY

Division of Family Development
Department of Human Services
Bureau of Child Support and
Paternity Programs
CN 716
Trenton, NJ 08625-0716
(609) 588-2915
FAX: (609) 588-2354
1-800-621-5437

NEW MEXICO

Child Support Enforcement Bureau
Department of Human Services
P.O. Box 25109
Santa Fe, NM 87504
Street Address: 2025 S. Pacheco
Santa Fe, NM 87504
(505) 827-7200
FAX: (505) 827-7285
1-800-432-6217[1]

NEW YORK

Office of Child Support Enforcement
Department of Social Services
P.O. Box 14
Albany, NY 12260
Street Address: One Commerce Plaza
Albany, NY 12260
(518) 474-9081
FAX: (518) 486-3127
1-800-342-3009[2]
1-800-846-0773 (account info.)

NORTH CAROLINA

Child Support Enforcement Section
Division of Social Services
Department of Human Resources
100 East Six Forks Road
Raleigh, NC 27609-7750
(919) 571-4114
FAX: (919) 571-4126
1-800-992-9457[1]

[1]In-State Only
[2]Nationwide

NORTH DAKOTA

Department of Human Services
Child Support Enforcement Agency
P.O. Box 7190
Bismarck, ND 58507
(701) 328-3582
FAX: (701) 328-5497
1-800-755-8530[1]

OHIO

Office of Child Support Enforcement
Department of Human Services
30 East Broad Street - 31st Floor
Columbus, OH 43266-0423
(614) 752-6561
FAX: (614) 752-9760
1-800-686-1556

OKLAHOMA

Department of Human Services
P.O. Box 53552
Oklahoma City, OK 73125
Street Address: 2409 N. Kelley Avenue
Annex Building
Oklahoma City, OK 73111
(405) 522-5871
FAX: (405) 522-2753
1-800-522-2922[1]

OREGON

Recovery Services Section
Adult and Family Services Division
Department of Human Resources
P.O. Box 14170
Salem, OR 97309
Street Address: 260 Liberty Street N.E.
Salem, OR 97310
(503) 373-1698
FAX: (503) 391-5526
1-800-850-0228[1]

PENNSYLVANIA

Bureau of Child Support Enforcement
Department of Public Welfare
P.O. Box 8018
Harrisburg, PA 17105
(717) 787-3672
FAX: (717) 787-9706
1-800-932-0211[1]

PUERTO RICO

Child Support Enforcement
Department of Social Services
P.O. Box 3349
San Juan, PR 00902-9938
Street Address: Majagua Street, Bldg. 2
Wing 4, 2nd Floor
Miramar, PR 00902-9938
(809) 722-4731
FAX: (809) 723-6187
1-800-636-6737[1]

RHODE ISLAND

Rhode Island Child Support Services
Department of Human Services
77 Dorrance Street
Providence, RI 02903
(401) 277-2847
FAX: (401) 277-6674
1-800-922-0536

SOUTH CAROLINA

Department of Social Services
Child Support Enforcement Division
P.O. Box 1469
Columbia, SC 29202-1469
Street Address: 3150 Harden Street
Columbia, SC 29202-1469
(803) 737-5870
FAX: (803) 737-6032
1-800-768-5858[1]

[1]In-State Only
[2]Nationwide

SOUTH DAKOTA

Office of Child Support Enforcement
Department of Social Services
700 Governor's Drive
Pierre, SD 57501-2291
(605) 773-3641
FAX: (605) 773-6834
(no toll-free number)

TENNESSEE

Child Support Services
Department of Human Services
Citizens Plaza Building - 12th Floor
400 Deadrick Street
Nashville, TN 37248-7400
(615) 741-2441
FAX: (615) 532-2791
1-800-874-0530

TEXAS

Office of the Attorney General
State Office
Child Support Division
P.O. Box 12017
Austin, TX 78711-2017
(512) 463-2181
FAX: (512) 479-6478
1-800-252-8014[2]

UTAH

Bureau of Child Support Services
Department of Human Services
P.O. Box 45011
Salt Lake City, UT 84145-0011
(801) 536-8500
FAX: (801) 536-8509
1-800-257-9156[2]

VERMONT

Office of Child Support
103 South Main Street
Waterbury, VT 05671-1901
(802) 241-2319
FAX: (802) 244-1483
1-800-786-3214[2]

VIRGIN ISLANDS

Paternity and Child Support Division
Department of Justice
GERS Building, 2nd Floor
48B-50C Krondprans Gade
St. Thomas, VI 00802
(809) 774-5666
FAX: (809) 774-9710
(no toll-free number)

VIRGINIA

Division of Support Enforcement
Department of Social Services
730 East Broad Street
Richmond, VA 23219
(804) 692-1428
FAX: (804) 692-1405
1-800-468-8894[1]

WASHINGTON

Support Enforcement Division
DSHS
P.O. Box 9162
Olympia, WA 98507-9162
Street Address: 712 Pear St., S.E
Olympia, WA 98507
(206) 586-3162
FAX: (206) 586-3274
1-800-457-6202

WEST VIRGINIA

Child Support Enforcement Division
Department of Health & Human Resources
1900 Kanawha Boulevard East
Capitol Complex, Building 6, Room 817
Charleston, WV 25305
(304) 558-3780
1-800-249-3778[1]

[1]In-State Only
[2]Nationwide

WISCONSIN

Division of Economic Support
P.O. Box 7935
Madison, WI 53707-7935
Street Address: 1 West Wilson Street
Room 382
Madison, WI 53707
(608) 266-9909
FAX: (608) 267-2824
(no toll-free number)

WYOMING

Child Support Enforcement
Department of Family Services
Hathaway Building
2300 Capital Avenue
Cheyenne, WY 82002-0710
(307) 777-7631
FAX: (307) 777-7747
1-800-457-3659

[1]In-State Only
[2]Nationwide

REGIONAL OFFICES OF THE OFFICE OF CHILD SUPPORT ENFORCEMENT

REGION I - CONNECTICUT, MAINE, MASSACHUSETTS, NEW HAMPSHIRE, RHODE ISLAND, VERMONT

OCSE Program Manager
Administration for Children and Families
John F. Kennedy Federal Building
Room 2000
Boston, MA 02203
(617) 565-2440

REGION II - NEW YORK, NEW JERSEY, PUERTO RICO, VIRGIN ISLANDS

OCSE Program Manager
Administration for Children and Families
Federal Building, Room 4048
26 Federal Plaza
New York, NY 10278
(212) 264-2890

REGION III - DELAWARE, MARYLAND, PENNSYLVANIA, VIRGINIA, WEST VIRGINIA, DISTRICT OF COLUMBIA

OCSE Program Manager
Administration for Children and Families
P.O. Box 8436
3535 Market Street, Rm. 4119 MS/15
Philadelphia, PA 19104
(215) 596-4136

REGION IV - ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE

OCSE Program Manager
Administration for Children and Families
101 Marietta Tower, Suite 821
Atlanta, GA 30323
(404) 331-2180

REGION V - ILLINOIS, INDIANA, MICHIGAN, MINNESOTA, OHIO, WISCONSIN

OCSE Program Manager
Administration for Children and Families
105 W. Adams Street
20th Floor
Chicago, IL 60603
(312) 353-4237

REGION VI - ARKANSAS, LOUISIANA, NEW MEXICO, OKLAHOMA, TEXAS

OCSE Program Manager
Administration for Children and Families
1200 Main Tower, Suite 1050
Mail Stop A2
Dallas, TX 75202
(214) 767-3749

REGION VII - IOWA, KANSAS, MISSOURI, NEBRASKA

OCSE Program Manager
Administration for Children and Families
601 East 12th Street
Federal Building, Suite 276
Kansas City, MO 64106
(816) 426-3584

REGION VIII - COLORADO, MONTANA, NORTH DAKOTA, SOUTH DAKOTA, UTAH, WYOMING

OCSE Program Manager
Administration for Children and Families
Federal Office Building, Rm. 325
1961 Stout Street
Denver, CO 80294
(303) 844-3100

REGION IX - ARIZONA, CALIFORNIA, HAWAII, NEVADA, GUAM

OCSE Program Manager
Administration for Children and Families
50 United Nations Plaza
Mail Stop 351
San Francisco, CA 94102
(415) 556-5176

REGION X - ALASKA, IDAHO, OREGON, WASHINGTON

OCSE Program Manager
Administration for Children and Families
2201 Sixth Avenue
Mail Stop RX-70
Seattle, WA 98121
(206) 615-2547

CHILD SUPPORT ENFORCEMENT RECORDS

Custodial Parent _____

Address _____

_____

Names of Dependent Children	Dates of Birth
_____	_____
_____	_____
_____	_____
_____	_____

Noncustodial Parent _____

Address(es) _____

_____

_____

Social Security Number | Date and Place of Birth

_____

Employer(s)	Dates
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Child Support Enforcement Office

_____

_____

_____

Enforcement caseworker

_____

_____

Case Number _____

State Enforcement Agency

_____

_____

_____

Lawyer _____

_____

_____

Courts:

Custodial Parent _____

_____

Noncustodial Parent _____

_____

Present Support Obligation: $_____

To be paid _____

CHILD SUPPORT ENFORCEMENT CASE LOG

Action Taken	Date	Outcome

For more information on how the child support system works in your State, contact your State Child Support Enforcement agency. For general information about the Child Support Enforcement Program, contact the Office of Child Support Enforcement, 370 L'Enfant Promenade, 5th Floor, Aerospace Building, Washington, D.C. 20447.

OFFICE OF CHILD SUPPORT ENFORCEMENT

U.S. Department of Health and Human Services
Aerospace Building
370 L'Enfant Promenade, SW
Washington, D.C. 20447